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PATENT APPLICATION  
File No: 00-12D1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Charles E. Hart, Debra G. Gilbertson  
Serial No. : 10/664,432  
Group Art Unit : 1646  
Examiner :  
Filed : September 19, 2003  
For : METHODS FOR PROMOTING GROWTH OF BONE, LIGAMENT  
AND CARTILAGE

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:


I hereby certify that the attached correspondence, comprising:

1. Information Disclosure Statement
2. PTO-1449 Form
3. 3 References
4. Return Postcard

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on December 9, 2005.

  
Tom Orrison



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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicants submit herewith references which they believe may be material to the examination of this application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

In accordance with 37 C.F.R. 1.97, the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been conducted, nor shall it be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

The references are listed in PTO form 1449 which is in accordance with the requirements of M.P.E.P. 609. Applicants believe that their invention as claimed is patentable over the references. It is respectfully requested that these references be considered by the Patent and Trademark Office in its examination of the above-identified application and be made of record therein. The Examiner is also invited to contact the Undersigned if there are any questions concerning this paper or the attached references.

The present application is a divisional of U.S. Patent Application Serial No. 09/823,033, filed March 29, 2001, now U.S. Patent No. 6,663,870, which is a continuation-in-part of U.S. Application Serial No. 09/457,066, filed December 7, 1999, now U.S. Patent No. 6,432,673.

Pursuant to the provisions of M.P.E.P. §609 and in accordance with 37 C.F.R. §1.98(d), Applicants have not included copies of the documents listed on the 1449 forms that were previously cited by or submitted to the Patent and Trademark Office in a prior application

identified herein. Below is a list of documents that were not previously cited by or submitted to the Patent and Trademark Office in any prior application identified herein. Copies of newly cited documents, except the published U.S. patent documents, are provided herewith.

**List of Documents Not of Record in Prior Application**

Identifier	Applicants/Author	Citation
A25	Gao et al.	US 6,432,673
A26	Gao et al.	US 6,528,050
A27	Gao et al.	US 2005-0159358
A28	Eli Lilly and Company et al.	WO01/089450
A29	Fujii,	<u>Histochem. Cell Biol.</u> 112:131-138, 1999.
A30	Goff et al.,	<u>Blood</u> 94(10)(Suppl. 1, part 2):1646, Abstract 3908, 1999.

Pursuant to the provisions of M.P.E.P. §609, Applicants further request that a copy of the 1449 form(s), marked as being considered and initialed by the Examiner, be returned with the next Official Communication.

It is believed that no fee is due, as this Information Disclosure Statement is filed prior to the receipt of any Action on the merits. However, in the event that a fee is due, please charge any fee or credit any overpayment to Deposit Account No. 26-0290.

Respectfully submitted,



Gary E. Parker  
Registration No. 31,648

**FORM PTO 1449**  
(REV 2-32)

**U.S. DEPARTMENT OF COMMERCE**  
**PATENT AND TRADEMARK OFFICE**

File No. 00-12D1

Serial No.  
10/664,432

**INFORMATION NON DISCLOSURE STATEMENT BY APPLICANT**

Applicant(s):  
Charles E. Hart, Debra G. Gilbertson

Filing Date:  
September 19, 2003

Group: 1646

(Use several sheets if necessary)

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A1	4,874,746	10/17/89	Antoniades et al.	514	21	12/22/87
	A2	5,124,316	06/23/92	Antoniades et al.	514	12	09/13/90
	A3	5,533,836	07/09/96	Moore	435	240.31	03/22/95
	A4	5,770,228	06/23/98	Edwards et al.	424	488	01/14/94
	A5	5,863,297	01/26/99	Walter et al.	623	16	10/08/96
	A6	6,001,352	12/14/99	Boyan et al.	424	93.7	03/31/97
	A7	6,391,311	05/21/02	Ferrara et al.	424	198.1	03/17/98
	A8	6,455,283	09/24/02	Ferrara et al.	435	69.4	03/10/99

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A9	WO91/005802	05/02/91	WIPO			
	A10	WO91/018558	12/12/91	WIPO			
	A11	WO93/000050	01/07/93	WIPO			
	A12	0 289 584	05/05/93	Europe			
	A13	WO93/020859	10/28/93	WIPO			
	A14	WO00/004183	01/27/00	WIPO			
	A15	WO01/032197	05/10/01	WIPO			

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Patents, etc.)**

	A16		Midy et al., <u>Biochem. Biophys. Res. Comm.</u> 199(1): 380-386, 1994.
	A17		Li et al., <u>TRENDS in Biotechnology</u> 19(7): 255-265, 2001.
	A18		Stephan et al., <u>J. Periodontol.</u> 71: 1887-1892, 2000.
	A19		Canalis et al., "Principles of Bone Biology", pages 619-626, Academic Press, Inc., 1996.
	A20		Nash et al., <u>Bone</u> 15(2): 203-208, 1994.
	A21		Howell et al., <u>J. Periodontol.</u> 68(12): 1186-1193, 1997.
	A22		Yu et al., <u>Am. J. Physiol.</u> 272(Cell Physiol. 41): C1709-C1716, 1997.
	A23		Vukicevic et al., <u>Proc. Natl. Acad. Sci. USA</u> 93:9021-9026, 1996.
	A24		Parnet et al., <u>J. Biol. Chem.</u> 271(8):3967-3970, 1996.

Examiner

Date considered

EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**FORM PTO 1449**  
(REV 2-32)

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PATENT AND TRADEMARK OFFICE**

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	A25	6,432,673	08/13/02	Gao et al.	435	69.1	12/07/99
	A26	6,528,050	03/04/03	Gao et al.	424	85.1	11/06/00
	A27	2005-0159358	07/21/05	Gao et al.	514	12	12/22/04

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A28	WO01/089450	11/29/01	WIPO			

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Patents, etc.)**

	A29		Fujii et al., <u>Histochem. Cell Biol.</u> 112:131-138, 1999.
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